

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59763 of 2021

Arising Out of PS. Case No.-500 Year-2015 Thana- FORBESGANJ District- Araria

MD. HAMID ANSARI @ MANTU ANSARI @ HAMID TAIYABI S/O SRI
TAIYAB ANSARI R/o village- Rampur South, Ward No. 10, P.S.-
Forbesganj, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Jalan, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-02-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Forbesganj P.S. Case No. 500 of 2015 registered for the offence under Sections 147, 148, 149, 452, 323, 324, 325, 307, 380, 354, 504, 506 and 34 of the Indian Penal Code.

The informant and his family members are said to have been assaulted by the petitioner and his several associates and they also tried to outrage the modesty of Kuresa Khatoon.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. He further submits that the present case is a counter version of Forbesganj P.S. Case No.655 of 2014 which has been lodged against the brother of the informant and others in which the petitioner is said to be a witness. He also submits that there is general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him. According to injury report, all injuries sustained by the injured are simple in nature except one which is said to be grievous in nature but the same has not been inflicted by the petitioner. Moreover, co-accused, Md. Ekram Ansari and Ors. have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 22.04.2016 passed in Cr. Misc. No. 14617 of 2016 and another co-accused, Md. Taiyab Ansari has also been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 17.08.2019 passed in Cr. Misc. No. 51018 of 2019. The petitioner is rotting in judicial custody since 09.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 500 of 2015 with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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